

read, substitute adopted and bill ordered to be engrossed.

Mr. Potter, chairman of the committee on the Judiciary, reported the resolution of the House, asking a joint committee to revise the Probate laws, and recommended that the Senate refuse to concur.

On motion the rule was suspended, the report taken up and adopted.

On motion of Mr. Throckmorton, a bill requiring the field notes of certain surveys in Young's land district, to be recorded in the surveyors office, was taken from the table, and on motion of Mr. Grimes, referred to the committee on Public Lands.

The report of the majority and minority of the Judiciary committee, on a bill to authorize the Governor to appoint a commissioner, to visit the several counties in the State, where the University lands are located and have been sold, to receive the money for the same, were read.

The question on the adoption of the majority report recommending the rejection of the bill, was put and carried by the following vote :

YEAS—Messrs. Chambers, Dickinson, Duggan, Grimes, Guinn, Harman, Herbert, Lott, Martin, Paschal, Parsons, Pitts, Potter, Quinan, Rains, Rainey, Shepard, Townes and Whaley—18.

NAYS—Messrs. Erath, Fall, Gentry, Hart, Hyde, Schleicher, Sims, Throckmorton, Walker and Wallace—11.

On motion of Mr. Sims, the Senate adjourned until to-morrow 10 o'clock A. M.

THURSDAY, December 15th, 1859.

Senate met pursuant to adjournment. Prayer by the Rev. Mr. Byers—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Guinn presented the petition of B. R. Milam for relief. Referred to the committee on Private Land Claims.

Mr. Townes presented the petition of W. B. Green for land. Referred to the committee on Private Land Claims.

Mr. Gentry presented the petition of the heirs of Spyran Singleton for land. Referred to the committee on the Court of Claims.

Mr. Potter, chairman of the committee on the Judiciary, made the following reports :

The Judiciary committee, have considered a bill concerning vendors liens on real estate, and direct me to return the same to the Senate, and recommend its passage.

The Judiciary committee, have considered a bill to amend the 8th section of the act of 5th February, 1840, concerning conveyances, and direct me to return the same to the Senate, and recommend its passage. The object of the bill, is to define what portions of judgment or decrees of court, by which title to real estate is passed, shall be recorded in the county in which particular parcels of land is situated, and thereby greatly to decrease the expense attending the making out a chain of title, where any link of it depends upon the decree of a court, in a partition or other suit.

The committee on the Judiciary, have considered a bill to define the Homestead in a town or city, and direct me to return the same to the Senate, and recommend its passage.

Mr. Fall, chairman of the committee on Engrossed Bills, reported a bill to incorporate the Gulf Coast Association, located at Victoria, correctly engrossed.

Mr. Grimes, chairman of the committee on Finance, to whom was referred the memorial of Charles Shepard, praying that a pension be allowed him, reported a bill granting a pension to Charles Shepard. Read 1st time.

Mr. Townes, from the committee on Enrolled Bills, reported a bill for the relief of Joseph Thompson, and a bill regulating public sales in the county of Bastrop, correctly enrolled, duly signed and this day presented to the Governor.

Mr. Hyde chairman of the committee on Private Land Claims, made the following reports :

The committee on Private Land Claims, to whom was referred the petition of Andreas Manchaca, have had the same under consideration, and from an investigation of the facts, they consider him entitled to the relief sought. They therefore instructed me to report the accompanying bill and recommend its passage.

The petitioner Andreas Manchaca, was a resident of Texas at the time of the Declaration of Independence, he was then a married man, and head of a family, and continued to reside in the country ever since. He did not leave the country to avoid the struggle, but on the contrary, took an active part in the war of Independence on the Texan side. From ignorance of his rights, he received in the year 1845, a second class headright of 1200 acres of land. The commissioner having no authority to issue another. On finding out his error, he appealed to the District Court, and made full proof of his right to a first class headright, but the court decided that it could not issue an augmentation certificate, nor cancel the 1200 acre certificate which he had received. This decision was confirmed on his appeal to the Supreme Court.

It is evident, he used all diligence to obtain redress, but that under the law no remedy was open to him but Legislative relief for which he now prays. Read 1st time.

The committee on Private Land Claims, to whom was referred a House bill for the relief of the heirs of N. Spain Summerlin, have had the same under consideration, and find from the evidence that said Summerlin fell at the Alamo; and that he has not heretofore obtained his land, and we believe his heirs entitled to the claims granted in the bill; we therefore report the same, and recommend its passage.

The committee on Private Land Claims, to whom was referred a bill for the relief of W. P. Tindell, have examined the same. They find by the proof and the records of the Court of Claims, that the party is entitled to a donation. But under the law he is not entitled to a headright. The committee report the bill back with an amendment, to strike out the words "a headright certificate for one-third of a league of land" and which will then provide simply for the donation, and so amended would recommend its passage.

Mr. Hart, from the committee on Finance, made the following minority report :

I, a sole minority of the committee on Finance, beg leave to dissent from the majority report, "on a resolution referred to that committee, in relation to the reduction of the pay of officers of the Legislature, and the various clerks employed in the different departments of the State Government." The "lone minority" would respectfully submit a few reasons for his difference with the report of the majority. All the officers of the Legislature receive a salary of five dollars per day for their services. All the clerks employed by the State in her different departments, receive a salary of from 900 to 1400 dollars per annum for their services, can these salaries be reduced without detriment to the public interest? If they can, why not reduce them. Let us examine these questions. Cannot officers of the Legislature, of equal capacity and efficiency, be employed for from three to four dollars per day (according to the service they have to perform.) The Legislature generally continues in session about 106 days, or one-third of a year; their pay then amounts to about 530 dollars per session or about 1600 dollars per annum. How many clerks are there in the State equally able, that only receive a salary of from 500 to 600 hundred dollars per annum. Why this difference? Why should men employed in the service of the State, receive as much for one-third of a year, as those employed by private individuals receive for the entire year? Upon what rule of logic or

calculation in arithmetic is this difference made? Now as to the other officers of the Legislature, such as Sergeant-at-arms, Doorkeepers, and their assistants and Messengers. I have no doubt many men work as much, and are equally able to discharge the duties of their offices, at less than two dollars per day, and the only difference to my mind, is that the people, the tax payers, pay the one, and individuals (who are more careful of their means) pay the others. The clerks and other officers of inferior grade, who receive a salary of from 900 to 1400 dollars per annum, labor 36 hours per week during the session of the Legislature, and some of them 34 hours per week during the balance of the year. This for those who receive the smallest salary, amounts \$2 87 per day or 47 cents per hour for their services, and those who receive the largest salary, receive at the rate of \$4 15 per day or 69 cents per hour. This accounts for the 300 clerkships applied for in the Land Office alone two years ago. It accounts for the crowd of office seekers who attend the Legislature every session. Office seeking has got to be a trade under the State Government its emoluments are sought for with avidity from all parts of the State. Reduce its emoluments and you reduce the applications in number, but not in efficiency. I know some think it too tame to pay low wages, where the State is the recipient of their labor. That the salary should rather be in proportion to the great State they serve, than the services they perform. "They despise the day of small things." The Treasury must respond to their call; and when that is empty (which is now a sad reality.) Then taxes must be raised, bonds must be sold, the public credit must be strained, Bankruptcy and Blackruin must shortly follow. But if one should perchance see and speak of these things, they must whisper, "speak in bated breath" "money," "economy," "low salaries," how mean is he who calls these words. But with this opprobrium upon my brow, I will proceed. Where does the money come from, that pays these high salaries? From the tax payers, the labor of the people, many of the men who pay these taxes work nine hours per day, at one and two dollars per day, their sweat is swapped two or three for one, to fill these offices. They have a right to complain, they have a right to be heard, and the time is at hand when they will be heard. I do not propose any bill with this report, for the reason that I do not believe that it would receive a favorable consideration at the hands of the Legislature. I beg leave to say that this report is not made for popularity, at least among the tax consumers, nor among those whose who sneer at the word economy, nor even for the

more patent praise of newspaper correspondents and scribblers,
 " Whose warmest plaudits I would scarcely prize
 Their sneers and censures, I alike despise,
 I spurn the rod that scribblers bid me kiss
 And care not whether courts or crowds applaud or hiss."

In this report on the principle of " solitary and alone " I have expressed my sentiments long and honestly entertained as a principle of the Democratic faith. " Economy in the public expenditures;" to this sentiment I now most heartily subscribe.

MARTIN D. HART.

Mr. Paschal, from the committee on Internal Improvements, made the following report :

The committee on Internal Improvements, have instructed me to report the accompanying bill and to recommend its passage.

The reasons which have induced your committee to recommend the bill are obvious. The requirements of the general laws, and of several of the charters, that twenty-five miles of road should be constructed, completed and put in running order each and every year, is found by experience to be exceedingly onerous. The result of a non-compliance with this requirement is frequently a nullity of the charter, and always a forfeiture of the rights and privileges secured to Railroad companies, by any general law to encourage the construction of Railroads. The consequence is that when a company discovers that a section can not be completed in time to save the charter and the privileges, the work is abandoned, till the meeting of the Legislature, when relief is sought. An unexpected war or storm at sea may place it entirely out of the power of a company to make twenty-five miles of road any one year. As soon it becomes doubtful whether the road can be completed or not, it is impossible to proceed with energy. If the year should expire six months, one year or more before the meeting of the Legislature, we may readily conceive how disastrous would be the result. The bill is not intended to add any more privileges to companies, nor to require less road to be constructed in two years, than is now required, but merely to dispense with the necessity of building at least one section any year.

Mr. Townes, from the Judiciary committee, to whom was referred a bill to repeal the " usury laws," reported that they deemed it necessary to change the laws of the State on the subject of interest. The majority of the committee recommend that the bill be rejected.

Mr. Britton introduced a bill making an appropriation to pay

the expenses of Capt. Tobins command, called into service by the Governor. Read 1st and 2nd times and referred to the committee on Claims and Accounts.

Mr. Sheppard introduced the following bills :

A bill to amend the law regulating fees of office.

A bill to punish the offence of keeping unlawful ferries.

A bill to amend the 7th chapter 13th title of the Penal Code.

A bill to regulate the sale of liquors, which were severally read 1st and 2nd times and referred to the Judiciary committee.

Mr. Herbert introduced a joint resolution proposing an amendment to the constitution. Read 1st and 2nd times and referred to the committee on the Judiciary.

Mr. Quinan introduced a joint resolution proposing an amendment to the constitution. Read 1st and 2nd times and referred to the committee on the Judiciary.

Mr. Hart introduced a bill to increase the common school fund. Read 1st and 2nd times and referred to the committee on Education.

Mr. Rainey introduced a bill to incorporate the Neches Navigation Company. Read 1st and 2nd times and referred to the committee on Internal Improvements.

On motion of Mr. Britton, the communication from the Governor, transmitting copy of special army orders relative to the removal of the U. S. troops to the scenes of difficulty on the Rio Grande, was taken from the table and referred to the committee on State Affairs.

Mr. Grimes, chairman of the committee on Finance, to whom was referred a resolution instructing them to enquire into the expediency of paying the troops called out to quell the Cortinas insurrection, reported the same and recommended its reference to the committee on the Militia. Rule suspended, report taken up and adopted.

ORDERS OF THE DAY.

A bill to amend the 2nd, 5th, 8th, and 9th sections of an act to authorize the sale of the public domain, on report of the committee on Public Lands proposing amendments. Amendments adopted.

Mr. Potter offered the following amendments :

SEC. 2 of said act shall hereafter read as follows :

SEC. 5 of said act shall hereafter read as follows :

SEC. 8 of said act shall hereafter read as follows :

SEC. 9 of said act shall hereafter read as follows : Adopted.

Mr. Shepard moved that 50 copies be printed. Lost.

Mr. Townes moved to make the bill the special order for Saturday, 17th inst., and that 100 copies be printed.

Mr. Parsons called for a division of the question.

Mr. Potter moved a call of the Senate.

The reports of the majority and minority of the committee on Finance, on a resolution relative to a reduction of pay of officers &c., were read.

The question being upon the adoption of the majority report was put and carried.

The report of the committee on Private Land Claims, on a bill for the relief of Joel Williams, for the relief of Henry Kloun and the memorial of E. Vought, recommending their rejection was adopted.

A joint resolution authorizing the Comptroller to contract for 500 copies of the new abstract of titled lands. Read 1st and 2nd times and referred to the committee on the General Land Office.

On motion of Mr. Wallace, the report of the Judiciary committee, on a bill to repeal the usury laws, was taken up; the report of the committee on further motion of Mr. Wallace, was laid on the table.

Mr. Wallace then offered a substitute for the bill.

Mr. Guinn move to indefinitely postpone the whole subject.

Mr. Guinn then modified the motion so as to postpone the consideration of the subject until the 6th day of January, 1860, which was put and carried.

Mr. Hart moved a suspension of the call of the Senate moved by Mr. Potter. Lost.

On motion of Mr. Hart, the bill was made the special order for to-morrow, the 16th inst.

A message was received from the House informing the Senate, that the House had passed the following bill originating in the Senate.

A bill to revive and continue in force, and supplemental to and amendatory of an act to incorporate the San Antonio and Mexican Gulf Railroad Company, approved September 5th, '50, and the several supplemental and amendatory acts concerning said Railroad, approved, November 14th, 1857.

The report of the committee on Private Land Claims, on a bill for the relief of Jose Leonardo de la Garza Trudo, recommending its passage, was on motion of Mr. Hyde, laid on the table.

The report of the committee on Public Debt, on the claim of James Magee & Co., recommending its reference to the committee on Finance, was adopted.

A bill to legitimate Donaceana Thomas late Donaceana How-

land. Read 1st and 2nd times and referred to the committee on the Judiciary.

A bill to release A. E. Benham from the disabilities of minority. Read 1st and 2nd times and referred to the committee on the Judiciary.

A bill to amend the 4th section of an act allowing discounts and set-offs, passed 5th February, 1840. Read 3rd time and passed.

A bill to incorporate the Texas Masonic Institute. Read 3rd times and passed by the following vote :

YEAS—Messrs. Chambers, Dickinson, Duggan, Erath, Fall, Genfry, Grimes, Guinn, Harman, Hart, Hyde, Lott, Martin, Parsons, Pitts, Potter, Quinan, Rains, Rainey, Scarborough, Schleicher, Sims, Throckmorton, Townes, Walker, Wallace and Whaley—26.

NAYS—none.

The following bills were severally passed to a 3rd reading.

A bill for the relief of A. H. Booth.

A bill for the relief of Matt Finch.

A bill for the relief of Joseph W. Bass.

The report of the committee on State Affairs, on the resolutions referred to them relative to the conduct of Governor Wise and President Buchanan, in connexion with the Harper's Ferry outbreak, was read.

Mr. Quinan offered the following amendment:

Strike out these words in 2nd resolution, "and we earnestly counsel the utmost vigilance in guarding against the recurrence of a similar conspiracy within our own borders, or elsewhere in the South." Lost.

Mr. Rainey moved to postpone the further consideration of the resolutions until Monday the 19th, inst. Lost.

The resolutions were then ordered to be engrossed.

On motion of Mr. Parsons, Mr. Rainey was added to the committee on State Affairs.

Mr. Paschal was excused from attendance on the Senate, until the 5th January, 1860.

On motion of Mr. Hyde, the Senate adjourned until 10 o'clock to-morrow.

FRIDAY, December 16th, 1859.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The journal of yesterday was read and adopted.